

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

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ELIZABETH MARIE MELLOW

Plaintiff,

v.

SYNCHRONY BANK, AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

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Case No.: 5:20-cv-01053

**DEFENDANT SYNCHRONY BANK’S  
MOTION TO COMPEL ARBITRATION AND DISMISS**

Defendant Synchrony Bank (“Synchrony”), pursuant to Federal Rule of Civil Procedure 12(b)(1) and Sections 3 and 4 of the Federal Arbitration Act (“FAA”), 9 U.S.C. §§ 1-16 (“FAA”), hereby moves this Court for an Order to Compel Arbitration. As set forth in Synchrony’s concurrently filed memorandum of law, which Synchrony incorporates herein, Plaintiff Elizabeth Marie Mellow entered into a credit card agreement with Synchrony which contains a binding Arbitration Provision, the scope of which includes the present dispute. Because Plaintiff consented to resolve her disputes with Synchrony pursuant to arbitration, this Court should compel arbitration and dismiss this lawsuit.

Dated: November 25, 2020.

REED SMITH, LLP

By: /s/ Jay L. Krystinik  
Jay L. Krystinik  
Texas Bar No. 24041279  
Lindsey L. Robin  
Texas Bar No. 24091422  
2850 N. Harwood, Ste. 1500  
Dallas, TX 75201  
T: 469.680.4200  
F: 469.680.4299  
[jkrystinik@reedsmith.com](mailto:jkrystinik@reedsmith.com)  
[lrobin@reedsmith.com](mailto:lrobin@reedsmith.com)

*Attorneys for Defendant Synchrony Bank*

### **CERTIFICATE OF CONFERENCE**

Counsel for Defendant Synchrony Bank has conferred with counsel for Plaintiff Elizabeth Marie Mellow regarding the relief requested herein. Despite a good-faith attempt to resolve the dispute, no agreement could be reached because Plaintiff's counsel is opposed to the relief requested. Accordingly, the matter is presented to the Court for determination.

By: /s/ Jay L. Krystinik  
Jay L. Krystinik

### **CERTIFICATE OF SERVICE**

I certify that, on **November 25, 2020**, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

By: /s/ Jay L. Krystinik  
Jay L. Krystinik